

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Criminal No. 07-396 (1) (RHK/AJB)

Plaintiff,

**ORDER**

v.

Refugio Gadea Pliego,

Defendant.

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Upon all the files, records and proceedings herein, and the undersigned's de novo review of Magistrate Judge Arthur J. Boylan's January 7, 2008, Report and Recommendation and Defendant's Objections thereto, **IT IS ORDERED:**

1. The Objections (Doc. No. 52) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 46) is **ADOPTED**;
3. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 23) is **DENIED**
4. Defendant's Motion to Dismiss for Lack of Jurisdiction (Doc. No. 25) is **DENIED**;
5. Defendant's Motion to Dismiss Indictment for Insufficiency (Doc. No. 26) is **DENIED**; and
6. Defendant's Supplemental Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 33) is **DENIED**.

Dated: February 8, 2008

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge